



United States Department of the Interior

BUREAU OF LAND MANAGEMENT FILLMORE FIELD OFFICE

35 East 500 North
Fillmore, UT 84631
<http://enbb.blm.interwebdesign.com>



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MAY 30 2000

DIVISION OF
OIL, GAS AND MINING

IN REPLY REFER TO:
3800
(U-010)
UTU-078278
UTU-078279

VAN FALLS
PRODUCTION MANAGER
LEVIN STONE CO INC
PO BOX 95
ASH FORK AZ 86320

Dear ^{Van} ~~Mr. Falls~~:

Your notice to conduct mining related operations on unpatented, unserialized mining claims, located in Secs. 27 and 34, T. 17 S., R. 13 W., and Secs. 3 and 29, T. 18 S., R. 13 W., SLBM, was received on May 12, 2000, and has been accepted by this office. Your notice has been assigned case file numbers UTU-078278, and UTU-078279. Please use these numbers in any future correspondence concerning these notices.

If you change your operation from what is described in your notices, you are required to contact this office prior to the change. If your operations extend for more than one year, please advise this office on the status of your mining related activity on the anniversary date of your notice.

Enclosed is a copy of the Conditions of Acceptance for Bureau of Land Management (BLM) Mining Notices, stipulated by the Fillmore Field Office. Please follow these guidelines as they pertain to your operation.

We are of the preliminary opinion that the deposit you have claimed is "common variety" and, as such, is not open to location. The proper procedure for mining and disposal of this material is through 43 CFR 3610, mineral material sales, wherein you would relinquish your claims and sign a contract with the BLM to purchase the material at a specified price. We will gladly provide you with information regarding mineral material sales.

If you are convinced that your deposit is locatable, please be aware the Court has set standards to distinguish between common varieties and uncommon varieties of mineral deposits or stone. The standards are:

1. There must be a comparison of the mineral deposit in question with other deposits of such minerals generally;
2. The mineral deposit in question must have a unique property;
3. The unique property must give the deposit a distinct and special value;

4. If the special value is for uses to which ordinary varieties of the mineral are put, the deposit must have some distinct and special value for such use; and
5. The distinct and special value must be reflected in the market place (or in reduced cost or overhead so that the profit to the claimant would be substantially more).

Should a final determination by the Department of Interior be made that this material is, in fact, "common variety", you could be responsible to the United States for the value of this material, damage to the land, and the administrative costs of recovering such compensation.

Also, all mining claimants and operators intending to use, store, or divert water are required by Utah and Federal statute to notify the following agencies:

Utah Department of Water Resources
1636 West North Temple
Salt Lake City, Utah 84180-1203

and

U. S. Army Corps of Engineers
Utah Regulatory Office
1403 South 600 West, Suite A
Bountiful, Utah 84010

You are required to report to this office, all hazardous materials associated with your operation along with information regarding their use, storage, transport, quantity, generation and disposal. Information regarding hazardous materials can be obtained from the State of Utah, Department of Environmental Quality, Division of Solid and Hazardous Waste at:

288 North 1460 West
Salt Lake City, Utah 84114-4880

You are required to contact the Department of Environmental Quality (DEQ), Emergency Response Section (ERS) at the Section's 24-hour response number (801-536-4123) immediately of a spill or discharge of hazardous substances.

If you are selling any minerals extracted during your mining activities, the U. S. Department of Labor, Mine Safety and Health Administration (MSHA) may consider your operation to be under its jurisdiction. We recommend you contact them at:

USDOL Mine Safety and Health Administration
125 South State, Room 8220
Salt Lake City, UT 84138

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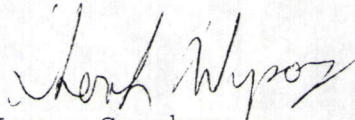
**DIVISION OF
OIL, GAS AND MINING**

As required by 43 CFR 3809, Surface Management Regulations, reasonable measures must be taken to prevent unnecessary or undue degradation of public lands and reclamation is required at the earliest feasible time. Please notify this office upon completion of operations and reclamation so an inspection may be conducted on the site. Reclamation under this notice is required to conform to the standards of the Utah Mined Land Reclamation Act.

Acceptance of your notices will not now, nor in the future, serve as a determination of the validity nor ownership of any mining claim included under your notices.

Prior to the commencement of your operations, we would like to meet with you on site to review reclamation practices and initiate a reclamation plan. Please contact this office to arrange the meeting. If you have any questions regarding this letter, please feel free to contact me at (801) 743-3126. Thank you for submitting your notices.

Sincerely,

 For
Larry Garahana
Geologist

Enclosure

Conditions of Acceptance for BLM Mining Notices (p. 3)

cc: Tom Munson, UDOGM

Mike Okuniewicz, USDOL Mine Safety and Health Administration

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